REMARKS/ARGUMENTS

1. Introduction

This is a full and timely response to the Office action of December 8, 2006. No claims have been amended and the applicant responds with an argument detailing differences between claims and recited prior art. Reconsideration of claims 1-21 is respectfully requested.

2. Background

Claims 1-4, 7, 8, 10, 11, 13-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watabe (US 2002/0018419) in view of Kenjo (5,029,155). Claims 9, 16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watabe in view of Kenjo and further in view of Hsu et al. (US 2005/0025018). Claims 5, 6, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watabe in view of Kenjo and further in view of Suzuki (US 6,744,031). Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watabe in view of Kenjo and further in view of Hsu and further in view of Suzuki.

3. Discussion

First, in the previous response, claims 1, 10, and 18 were amended to include the limitations of adjusting the NRZI pattern according to recording speed and photodiode bandwidth (paragraph [0031]).

In the current Office action, the Examiner has rejected these limitations under 103(a) citing paragraph [0021] of Watabe, which states: "Even when the speed of the disk rotation is set at the quadruple speed, the required bandwidth of the photodetector and the amplifier in the light receiving module is only several MHz.".

Although not entirely clear to the applicant, the Examiner may mean that Watabe can be perceived as teaching changing the write strategy according to rotational speed of

the disk because the "channel clock" runs faster at higher speeds and suggesting this anticipates the cited claim limitations. However, Watabe continues with "If a sample/hold circuit is used to detect the peak power of the laser diode, the required bandwidth of the light receiving module and the subsequent processing circuits becomes very large, which will not be appropriate for practical use." (paragraph [0022]).

It would appear to one skilled in the art that Watabe teaches that the bandwidth of the "light receiving module" may limit functionality at high disk speeds, but bandwidth is irrelevant in Watabe to selecting the write strategy and changes the write strategy purely according to disk speed. Just because a bandwidth is present does not mean that its presence influences the selection of write strategy.

On the other hand, claimed instant application selection of write strategy depends upon both the disc speed and bandwidth and may include extending the run length of the pattern beyond the "maximum run length" during APC for high speed discs to give the FMD signal a long enough time to substantially settle when the utilized bandwidth is relatively modest as discussed at least in paragraph [0031] of the current disclosure. The applicant asserts that Watabe in no way suggests that the write strategy is selected "according to recording speed and photodiode bandwidth", which are limitations found in the current claims. All claim limitations must be specifically found in the prior art, and the applicant is unable to locate these limitations in the reference.

Secondly, the Examiner has stated (page 2-3 of the current Office action) that Watabe does not disclose the claim 1 and 18 limitations of "at least one sample and hold circuit coupled to the signal processor for sampling and holding the average generated output voltage according to a sample and hold signal" and continued to utilize Kenjo to reject these limitations. The applicant offered an argument in the previous response including "The Examiner's statement that "the S&H output is clearly held for a long period of time, so the S&H circuit must have a sample and hold circuit

more sophisticated than a single low-pass filter" may be true, but does not necessarily require the use of the claimed structure to achieve, which is required for inherency."

The applicant is unable to locate in the current Office action any response from the Examiner concerning the applicant's argument and respectfully requests a clear explanation of why the Examiner has rejected this argument by the applicant should this be the case. The applicant continues to assert that Kenjo does not disclose either specifically or inherently that a sample and hold circuit is coupled to a low-pass filter for sampling and holding the average signal obtained by the low-pass filter. All claim limitations must be specifically found in the prior art, and the applicant is unable to locate this particular teaching in the reference.

For at least the above two reasons, the applicant asserts that the current application is in condition for allowance as required and respectfully requests reconsideration of all rejections and a timely Notice of Allowance should the Examiner concur.

Sincerely yours,

/Winston Hsu/ Date: 01/31/2007

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